

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
TRAVELERS CASUALTY AND SURETY COMPANY  
OF AMERICA,

Plaintiff,

-against-

DUNCAN INTERIORS, INC., DUNCAN PARTNERS  
LLC, DEBRA A. SPYCHALSKY and JOHN DOES 1-3,

Defendants.

ANALISA TORRES, District Judge:

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22 Civ. 10562 (AT)

**ORDER**

On December 16, 2022, the Court ordered Plaintiff to amend its pleading to allege the citizenship of each constituent person or entity of Duncan Partners LLC, by December 23, 2022. ECF No. 3. The Court warned that “[i]f Plaintiff fails to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC, then the complaint will be dismissed for lack of subject matter jurisdiction.” *Id.*

That submission is overdue. Accordingly, by **January 6, 2023**, Plaintiff shall amend its pleading to allege the citizenship of each constituent person or entity of Duncan Partners LLC. *See Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 51-52 (2d Cir. 2000) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Strother v. Harte*, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”). If Plaintiff fails to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC, then the complaint will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Dated: December 30, 2022  
New York, New York



ANALISA TORRES  
United States District Judge